

Minutes of a Regular Meeting of the City Council
Austin Texas December 15th 1891

Mr. Lewis Slanec, Mayor presiding.
Phil. Hill, Jr.

Present Alderman: Beatty, Belvin, Hayes, Hobson, Lawless, Linn,
Madden, Miller, Mitchell, Pratt, Powell, Prudell, Robertson, Tracy
Schneider, Shetterly, Stumpf, Taylor, Townsend and Gilmer D. O.
Absent Aldermen: Dischak and Chalm

Minutes adopted as printed. Our motion for minutes of the last meeting were adopted as
printed, without reading.

Street Committee:
Several reports on
different matters re-
ferred to them

Report to change of
street across S. & W. R.R.
near rock cut

Committee Reports

Videman, Liver, for the Street Committee, presented the following
report, which was read and adopted, except the petition of Mrs. Bruce,
which was referred back to the Council:

Austin, Texas November 15th 1891.

To the Hon. City Council of the City of Austin:

Your Street Committee, to whom was referred the several matters
hereinafter mentioned, desire to report thereon as hereinafter appears:

First. We recommend that the change of street as now crosses the
International and Great Northern Railroad track, near rock cut
about one and a half miles north of the City Hall, asked for by Thomas
Hume, Superintendent, International and Great Northern Railroad, be
refused because the change is asked for at the expense of the City; as
the City now is in no financial condition to make the change.

If the Railroad Company would bear the expense, your Committee
would recommend the granting of the petition under the direction
of the City Engineer and Street Committee.

Second. The petition of G. M. Brass to open Alley in Block 34, be
refused, for the reason that if said Alley were opened, it would
lead directly into Waller Creek, thereby necessitating the building
of a bridge across said Creek, and not until the City finances are
in a condition to build more bridges would your Committee on
Streets recommend said Alley to be opened.

Third. The petition of H. Hirschfeld, to give some protection to lots
6 and 7, in Block 10, upon examining same, we find that said lots
are partly in the bed of Waller Creek, and your Committee would
recommend that the petition be not granted, for the reason that
it would be cheaper for the City to purchase lots 6 and 7 in Block
10, than to build a rock wall of sufficient strength to withstand
the strong currents of Waller Creek, which alone would give petitioner
the relief asked for in his petition.

Fourth. The petition of Mrs. L. L. Bass and others, proposing to change
others to names of Brown, Lawrence, Zavilla and Jones Streets; as our plat attached with
proposes for the same.

Petition would be rejected, recommend same to be referred to
the City Council, for the reason that some of the petitioners have
since protested against any change being made at all.

5th. We have also examined the petition desiring the opening of the
following street:

Pet. to open down Gabriel St. The petition to open down Gabriel between Thirteenth and State Streets, between Thirteenth and Eleventh. The petition to open First Fourth Street through lots 1, 8, 9, and 10 of Division C.

Ord. to open Elmore St.

Pet. to open White Oak from Main to Lampire Co.

The petition to open full width Church Street from Main to Sixth Street. The petition to open a street from Main through and over the property of Mrs. Matthews and the Congress Company.

Upon the above we beg to report as follows: That the opening of these Streets is desirable and would greatly add to the convenience of many citizens, and if petitioners should procure the right of way, the petition should be granted, but the expense attendant upon the clearing of these Streets, if the City must purchase the right of way, would be so great that we trust, in view of the City's present financial condition, recommend that said petitions be not granted.

Ord. to appropriate \$3000. Sixth. We have also examined an ordinance to appropriate the sum of \$3000 to build a stone arch bridge over Waller Creek on East Seventh Street. An ordinance to appropriate the sum of \$1600 for the new stone culvert on Waller Creek, in case of building a stone culvert over little Shoal Creek and across Neees and West Eighth Street.

Pet. to build Bridge over Waller Creek to build a bridge across Waller Creek on East Third Street. Located on E. 3rd St. Upon investigation we find that these several bridges are needed and would be a great convenience to the traveling public, and we recommend that the Council act favorably upon the above petitions if the financial conditions of the City, in its opinion, will justify the expenditure of the amounts needed therefor.

Pet. of Alfred Smith to have Culvert running through Alley in Block No. 120.第七. The petition of Alfred Smith to have Culvert running through Alley in Block No. 120.

Upon this petition your Committee beg leave to report, that we have thoroughly examined the same, and find a Culvert constructed partly of wood and rock, passing under this Alley, and in places this Culvert has broken through, thereby making it very dangerous for vehicles to pass over it. We also notice that by reason of the defective condition of this Culvert, the water that should pass through the same flows upon the property of the petitioner, thereby causing damage to the same.

Your Committee would recommend that said Culvert be at once placed in substantial repair.

Pet. of Frank Brown to repair Street in front of Block No. 61. Eighth. Upon the petition of Frank Brown to repair Street in front of Block No. 61, on East Sixth Street, we beg to report, that this work has already been done.

A. G. Silver
G. B. Fischer
Joseph Stumpf.

Alderman Fischer entered the Council Chamber.

(Alderman Fischer, Esq., Alderman Powers, for the Police Committee, to whom was referred the report of the City Marshal for the month of October 1860, presented a report, stating that the report had been examined and found correct. The report was adopted.)

(Alderman Powers, for the Police Committee, to whom was re-

Police Comt. report on pet. of returned the petition of H. A. Mason for one week's salary as Dog Catcher, presented a report, recommending that he be allowed the sum of \$19.33. The report was adopted.

Pub. Comt. report on Ord. alldg Alderman Shelleys, for the Ordinance Committee, to whom was referred Sec'y of an Ord. granting right an ordinance amending Section 9 of an ordinance pertaining to the & way or streets to M. W. Spike, etc. The report was laid over to come up under the head of unfinished business.

Pub. Comt. report on Ord. alldg Alderman Shelleys, for the Ordinance Committee, to whom was referred the qualifications of City Attorney & an ordinance relating to the qualifications of City Attorney, and Assistant City Attorney, made a report which was read and laid over, to come up under the head of unfinished business.

Claims & Accts. Comt. report on Alderman Blatt, for the Claims and Accounts Committee, to whom pet. of S. J. Hamilton regarding was referred the petition of S. J. Hamilton in regard to taxes, for taxes of 1896. Presented a report on that part of the petition relating to the taxes for 1896, recommending that it be not granted.

Alderman Ziller made a verbal report, recommending that the petition be granted.

A motion to adopt the report of the majority of the Committee was lost by the following vote:

Dear Aldermen Bratly, Clevin, Barnes, Maddox, Mitchell, Blatt, Roberdson, Stumpf, Taylor, and Townsend 10.

Nays Aldermen Fischer, Horton, Lawless, Linn, Miller, Powell, Codd, Rosengran, Schneider, Shelley and Ziller 11.

Claims & Accts. Comt. report on Alderman Blatt presented the report of the Committee recommending pet. of S. J. Hamilton in regard to the taxes for 1896 to be granted and that the Assessor and Collector be and is hereby authorized to make the deductions as prayed for in the petition. The Mayor suggested that the adoption of the report would not be sufficient authority for the Assessor and Collector to act, but that it would require a resolution or ordinance to authorize him to make the changes, and further suggested that the matter be passed for the present to allow time for the resolution or ordinance to be prepared.

Com. on Claims & Accts. report on pet. of L. Eck regarding City Taxes for 1896. Alderman Blatt, for the Claims and Accounts Committee, to whom was referred the petition of L. Eck, asking that he be allowed to accept the compromise offered by the City Council in regard to City taxes for 1896, he having failed to accept said compromise within the time prescribed, presented a report recommending that the petition be not granted.

A motion to adopt the report was lost by the following vote:

Dear Aldermen Clevin, Barnes, Lawless, Maddox, Blatt, Roberdson, Shelley, Stumpf, Taylor and Townsend 10

Nays Aldermen Bratly, Fischer, Horton, Linn, Miller, Powell, Codd, Rosengran, Schneider, Ziller and the Mayor 11

Alderman Blatt, for the Claims and Accounts Committee, to whom was referred the petition of N. D. Morrison, asking that the sum of \$1.65 be refunded him on a Davis' assessment, his complaint being

recommending that the petition be granted. The report was adopted.

Alderman Fisher offered the following resolution:

Resolution regarding pet. of
G. J. Hamilton for 1896
Be it resolved, by the City Council of Austin, that the petition of G. J. Hamilton,
as to his taxes for 1896, be granted by accepting the compromise recom-
mended, as fixed by the Special Committee of the City Council, and that
the City Attorney be instructed to make a proper adjustment of the
matter.

Alderman Fischer moved to amend the resolution by inserting the
name of L. E. Cox, after that of G. J. Hamilton.

The amendment was adopted, and the resolution as amended was then
adopted, by the following vote:

Yea Aldermen Fischer, Horton, Miller, Nitzeck, Cowell, Redd,
Rosengran, Schneider, Shelley, Townsend and Fisher 11.

Nay Aldermen Beatty, Delvin, Haynes, Lawless, Linn, Maddox, Platt,
Roberson, Stumpf and Taylor 9.

Unfinished Business

Ord. to amend Sec. 9 of Ord.
passed Aug. 26, 1891
The Mayor laid before the Council an ordinance to amend section
9 of an ordinance passed August 25th 1891, and approved August 26th
1891, to amend and condense into one ordinance, an ordinance per-
taining to the right of way over the streets of Austin, to W. W. Shipe,
his associates and assigns, which inured to the benefit of the
Austin Rapid Transit Railway Company.

The City Attorney was asked to pass upon the legality of the pro-
posed amendment to the ordinance, but asked to be excused, he
being also Attorney for the Rapid Transit Company, and suggested
that the Council employ some competent Attorney in the City at
his expense, to pass upon the question.

The Mayor called Alderman Linn to the chair, and asked to
be excused on account of indisposition, which request was granted.
Alderman Beatty moved, that the City Attorney be requested to
give the Council the law on the question.

Alderman Maddox moved as an amendment, that the wishes
of the City Attorney be adhered to.

The amendment was lost by the following vote:
Yea Aldermen Delvin and Maddox 7.

Nay Aldermen Beatty, Fischer, Haynes, Horton, Lawless, Linn, Miller,
Nitzeck, Platt, Cowell, Redd, Roberson, Rosengran, Schneider, Shelley,
Stumpf, Taylor, Townsend and Fisher 19.

The motion of Alderman Beatty was then adopted.

Resolution requesting the Alderman Delvin offered the following resolution to the ordinance:
A. R. J. A. R. Co. not to haul "Resolved, That the Austin Rapid Transit Railway Company be
granted an injunction against discontinuing hauling lumatics, on any of its lines in
the City of Austin."

Vel. or. motion. The resolution was laid upon the table.

On motion was made to lay the ordinance on the table, which
motion was carried by the following vote:

Yea Aldermen Beatty, Fischer, Haynes, Horton, Linn, Maddox, Miller,
Nitzeck, Platt, Cowell, Redd, Roberson, Rosengran, Schneider, Shelley,
Stumpf, Taylor, Townsend and Fisher 19.

May; Alderman Horton, Robertson and Schneider. 3.

Ord. Committee's report on Ord. The ordinance committee's report on an ordinance regarding the eligibility of the City Attorney and Assistant City Attorney was read; also the Committee's substitute for the ordinance.

Alderman Taylor moved that the ordinance and substitute be laid on the table, which motion prevailed by the following vote:

Yea Aldermen Beatty, Calvin, Fischer, Lawless, Linn, Maddox, Miller, Nitschke, Platt, Powell, Ridd, Rosenauer, Stumpf, Taylor and Gilker 15.
Nays Aldermen Haynes, Robertson, Schneider, Shelley & Townsend. 5.

New Business.

Ord. appropriating \$200 to pay for Extra Street Labor. An ordinance appropriating \$200 to pay for Extra Street Labor.

The ordinance was read first time, and on motion the rule was suspended and the ordinance placed on its second reading by the following vote:

Yea Aldermen Beatty, Calvin, Fischer, Haynes, Horton, Lawless, Linn, Maddox, Miller, Nitschke, Platt, Powell, Ridd, Robertson, Rosenauer, Schneider, Shelley, Stumpf, Taylor, Townsend and Gilker 21.
Nays None.

The ordinance was read second time.

Amendment提出的 Ord. amended by making Alderman Powell, moved to amend the ordinance by striking out \$200 and inserting in lieu thereof the sum of \$300

Upon motion the amendment was lost.

Ord. amended by making Alderman Shelley moved to amend the ordinance, by striking out \$200 and inserting \$250 in lieu thereof, which amendment was adopted. The ordinance as amended, was then passed, under suspension of the rules, by the following vote:

Yea Aldermen Beatty, Calvin, Fischer, Haynes, Horton, Linn, Maddox, Miller, Nitschke, Platt, Powell, Ridd, Robertson, Rosenauer, Schneider, Shelley, Stumpf, Taylor, Townsend and Gilker 20.
Nays Alderman Lawless - 1.

Ord. ordering an Election The Chair laid before the Council an ordinance ordering an election on Monday Dec. 6 1897, for the following City Officers, viz: City Officers

Mayor, Three members of the Board of School Trustees, Two members of the Water & Light Commission and Eleven Aldermen.

The ordinance was passed under suspension of the rules by the following vote:

Yea Aldermen Beatty, Calvin, Fischer, Haynes, Horton, Lawless, Linn, Maddox, Miller, Nitschke, Platt, Powell, Ridd, Robertson, Rosenauer, Schneider, Shelley, Stumpf, Taylor, Townsend and Gilker 21.
Nays None.

Ord. amending an ordinance Alderman Haynes presented the following resolution which was adopted. The Fire Hydrants, are now being flushed without the use of hose, therefore causing great damage to Streets, be it Resolved, by the City Council of the City of Austin, That the City Clerk be instructed to furnish the Water and Light Commission, as well as the Board of Education, the City Engineer, or other, or the responsible officers of the City Council, presents, etc., a copy of the resolution of the City Council, passed etc., above, requiring

Ord. appropriating \$48 to pay
Drivers of Street Teams

The use of hose when flushing the Hydrants, and that they be respectfully requested to comply with said resolution".

By Alderman Townsend. An ordinance appropriating the sum of \$48 to pay Salaries of Drivers of Street Teams; for the month of November 1892.

The ordinance was passed, under suspension of the rules, by the following vote:

Yea Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Lawless, Lim, Maddox, Miller, Nitschke, Ott, Powell, Redd, Robertson, Rosengren, Schneider, Shelley, Stumpf, Taylor, Townsend and Zilker 21.

Nay None.

Ord. appropriating \$11 to pay Alderman Townsend. An ordinance appropriating the sum of \$11 to pay Salaries of Aldermen for the month of November 1892.

The ordinance was passed under suspension of the rules by the following vote:

Yea Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Lawless, Lim, Maddox, Miller, Nitschke, Ott, Powell, Redd, Robertson, Rosengren, Schneider, Shelley, Stumpf, Taylor, Townsend and Zilker 21.

Nay None.

Ord. appropriating \$341.51 to pay Approved Accts
Street Dept^{nt}

By Alderman Townsend. An ordinance appropriating the sum of \$341.51 to pay approved accounts Street Department.

The ordinance was passed, under suspension of the rules by the following vote:

Yea Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Lawless, Lim, Maddox, Miller, Nitschke, Ott, Powell, Redd, Robertson, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 20.

Nay None.

Ord. appropriating \$547.16 to pay Approved Accts.

By Alderman Townsend. An ordinance appropriating the sum of \$547.16 to pay approved accounts.

The ordinance was read first time, and on motion the rule was suspended and the ordinance placed upon its second reading, by the following vote:

Yea Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Lawless, Lim, Maddox, Nitschke, Ott, Powell, Redd, Robertson, Rosengren, Schneider, Shelley, Stumpf, Taylor and Zilker 19.

Nay None.

The ordinance was read second time.

Alderman Cowell, moved to amend the ordinance, by adding the amount of \$9.33 to pay claim of Stal. Mason. The amendment was adopted.

Alderman Maddox, moved to amend the ordinance by adding the amount of \$1.65 to pay H. Ankeman for taxes erroneously paid.

The amendment was adopted, and the ordinance as amended, was passed, under suspension of the rules, by the following vote:

Yea Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Lawless, Lim, Miller, Nitschke, Ott, Powell, Redd, Robertson, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 19.

Nay Aldermen Maddox and Schneider 2.

On motion the Council adjourned.

J.W. Johnson
City Clerk